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THE

NONCONFORMISTS RELIEF

Prepared against the

SESSIONS

Of the Next

JUSTICES

In London or in the Country.

By a Follower of Peace, and Lover of Sincerity.

Rom. 13. 1, 2. *Let every soul be subject unto the higher Powers: For there is no Power but of God; the Powers that be, are ordained of God.*
Whosoever therefore resisteth the Power, resisteth the Ordinance of God; and they that resist, shall receive to themselves damnation.

LONDON,

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THE NONCONFORMISTS *RELIEF.*

WHereas there is an Oath required of every Nonconformiſt Preacher that lives in a Corporate Town, which hath been an occaſion of ſcruple, or of trouble to many, when really the contents thereof at the bottom are nothing elſe but the giving ſecurity to the State of our fidelity; I, who am one of the meaneſt among my Brethren, after ſome long conſideration of what is like to *edify*, or *offend* the moſt, do, upon the account of what is juſt and right, and not only what is prudent, (having firſt ſatisfied my doubts) humbly preſent my ſelf (though none of the firſt) to obey what is commanded.

For the due performance whereof, with a good conſcience, I will lay down my rule upon which I go, and I muſt then act according to it.

The rule I have to lay down for our ſubmiſſion to this and the like Impoſitions is, that foraſmuch as the Law is the *Will* of the Law-giver, or *Declaration of his Will*, we are to conſider impartially what the intent or purpoſe of the major part of the *Parliament* (which conſiſts of the King and his two Houſes) is, or was, that we ſhould yield to, in our compliance with them in ſuch or ſuch an Impoſition, and if we can ſubmit to it in that ſenſe which we verily believe to be their mind or meaning, we are to do it: and if we cannot, we are to ſuffer. If we take their words in any ſenſe of our own, (though never ſo rational) which we believe in our conſciences is, or was not their meaning, we prevaricate with

the Law, and are profane or looſe in our obedience: and if we make any ſcruples which our conſcience tells us are beſides their purpoſe, or not to be made in equity according to their mind or meaning, we are injurious to the Law-giver, and ought to lay down ſuch hard conſtructions. Here is the true latitude (or *Middle way*) we are to walk in, in our reſolution of ſuch caſes.

This rule therefore being laid, I muſt do two things for the practice of it. I muſt firſt give the ſenſe of the Oath according to what I ſincerely believe to be the intent of the Impoſers, without wrong unto them, or my own underſtanding: and I muſt then apply my ſelf to the taking of it. Only I muſt carefully premiſe this, for avoiding all offence to the Higher Powers, that I do not take upon me (as no one can) to put a meaning on the Oath, which I know I muſt take in *theirs*; or to determine and ſay, *This is their meaning:* but to ſay, *I believe* this to be their meaning, which is neceſſary to determine for my own ſelf, that I may *act in Faith* in what I do.

For the true ſenſe then, or interpretation of this Oath, here are three parts or clauſes of it.

The firſt part is, *I ſwear that it is not lawful to take arms againſt the King upon any pretence whatſoever.* In which clauſe we are to conceive in the firſt place (as I am ſatisfied for my ſelf) ſome ſuch words as [*I hold*, or, *I believe*] are to be underſtood, which may appear from ſome other Act where they are ſupplied in the like Impoſition, *I ſwear that I hold it unlawful to take arms againſt the King*; and in the next place by the words *Upon any pretence whatſoever*, as we are to underſtand no leſs doubtleſly than upon any cauſe, or in any caſe, *Ulla ex cauſa*; ſo we are not to ſcrew up thoſe words ſo high, as if no caſe or caſes could be invented to put exception againſt the *univerſality* of the propoſition, but that there is no ſuch caſe or caſes obvious, ſo as to come into the mind of the Law-maker, (and no ſuch conſequently as by the intent of the Law we ſhould object to our ſelves in the taking this Oath,) or no ſuch to be put with regard to *our* King; ſo that if this poſition be received by us as it is ſtated and held by the moſt learned Aſſertors of the power of Princes,

Princes, and maintainers of this Tenet it ſelf, we are to conceive it their minds we ſhould yield to it as *indefinitely* true, without nicety, and too ſcrupulous a diſquiſition. I will explain my ſelf a little further. This poſition may relate either to the *Kingly Power* in general, or to the *Perſon of the King*. As it relates to the *former*, it ſuffices to the meaning that we hold it as others againſt rebellion have maintained it. That is, I ſuppoſe, the *Majority of Voters* (if their minds could be asked) would deſire no more of us. As it relates to the latter, I believe the meaning to be no leſs than this, that there is no caſe to be put, or no cauſe in the earth to be found out, that will warrant our taking arms againſt our preſent Soveraign *Charles* the Second. And this I heartily believe, and am ready to ſwear to it.

The ſecond part is, *And I do abhor that traiterous poſition of taking arms by the authority of the King againſt his Perſon, or any commiſſionated by him.* In this clauſe I underſtand by the word, *abhor*, in the cool ſenſe, *I diſclaim*, and I count the Poſition *traiterous* if it be uſed to rebellion: But it is not, I ſuppoſe, once to be conceived, that it was the intent of the Parliament, (the moſt of the Members) or of his Majeſty himſelf, to advance any arbitrary Commiſſions above *Law* in any point by theſe words; and conſequently that by thoſe commiſſionated by him, we muſt underſtand ſuch only as are *Legally* Commiſſionated, and in the *Legal purſuit of ſuch Commiſſions*. A Commiſſion not Legal is no Commiſſion, and no man can be juſtified if he act otherwiſe than his Commiſſion. And by this interpretation only, which I am fully perſwaded (upon the account mentioned) was the ſenſe of the Law-giver, are the moſt material objections taken off, that have been alledged againſt this Oath by any. And fit advice alſo hath been taken in the whole caſe.

The third part is, *And that I will not at any time endeavour any alteration of Government either in Church or State.* In this clauſe, By *Government*, we muſt underſtand, out of doubt, the preſent Government, and that only; which in the *State* is Monarchy, in the *Church* Epiſcopacy: And we are not to imagine that it was the intent of this Act to deprive any Engliſh-man of his free-

born

born right, to choose Parliament Men whom he thinks meetest, to inform them of our grievances, to petition them, and to concur with them as our Representatives (which vertually we must needs do) in every Act that passes for the repealing old Laws, and making new, and consequently if it should seem good to the Parliament to make any reformation of Religion, so long as it were carried on in an orderly way by the consent of the King and the two Houses, there is nothing in such an *Endeavour* of any man *in his place and calling* but what is warranted by the fundamental Constitution of the Realm; so that by this Endeavour here abjured, we must understand such an Endeavour only as is not warrantable by the Constitution. Such an Endeavour we may suppose the Parliament intended as was used in the late times, when they went about to remove Episcopacy without the consent of the King, and against it. Such an Endeavour we abjure. That is, we will not endeavour by any means at all to remove the King from his Throne, because the Constitution of the Land is to be governed by a Monarch, and we will not endeavour to alter Episcopacy, or reform the Church in any way or manner, but what is warrantable by the Law of the Nation; that is, by a Convocation, or Act of Parliament.

This is what I believe to be the true meaning of the Imposer; and in this meaning I thank God, that with a conscience fully perswaded, and an honest intention to the Publick, as to my self, I do address my self to the words ensuing.

J. A. B. *do swear that it is not lawful to take arms against the King upon any pretence whatsoever: and that I do abhor that traiterous Position of taking arms by the authority of the King against his Person, or against those that are commissionated by him in the Pursuance of such Commissions: And that I will not at any time endeavour any alteration of Government either in Church or State.*

JOHN HUMFREY.

Reader,

Reader,

I Bleſs God I have a good conſcience in Printing this Paper. I am ſenſible into how many ſtreights many Miniſters, and many good Men in ſeveral Corporations have been, and may be ſtill brought, in regard to this Oath, or ſome like it. If there be difference, every man who is concerned, is to look to his own conſcience. I have laid him down his Rule, and he is to be true to it, and to his own Soul; and if he be in doubt in any point, he muſt forbear. For my own part, I am ſo well ſatisfied about this Oath, that although I ſee not the Ends *of Divine Providence in the general affairs of my life, who am one ſtill on the wrong ſide of the hedge; yet do I not think my ſelf* born *into the world* to no purpoſe, *ſo long as I have lived to do this. A matter ſo ſmall (I count) in it ſelf, and yet ſo momentous in regard to the Publick; in the ſecurity of the Government, and the quiet of honeſt people. I do not ſubſcribe my Name as one now actually ſwearing to the Oath, but as the Author of the Paper. But I intend to take this Oath for ought I know to chooſe, whether I need it or no, and much more if I do need it, after I have publiſhed thus much; unleſs I ſee more reaſon than now to the contrary. The ſum of the matter is, I am content for my own part to engage my ſelf to have no hand in any rebellion, whatſoever happens; I am reſolved upon it, I will be no Rebel by the Grace of God.* J. H.

FINIS.